

Minutes of the Veneta City Council

September 26, 2011

Present: Mayor Sharon Hobart-Hardin, Brittany Boothe, Thomas Cotter, Marion Esty, and Sandra Larson

Others: Ric Ingham, City Administrator; Chris Workman, City Recorder/Human Resources and Risk Management Administrator; Shauna Hartz, Finance Director, Darci Henneman, Assistant City Recorder; and

Mayor Hobart-Hardin called the Veneta City Council to order at 7:05 p.m.

1. PUBLIC COMMENT

Paul Furnari, 25273 E. Hunter Rd. Veneta, OR
Mr. Furnari is one of the properties on E. Hunter that has not hooked up to City sewer services. His family was in the process of developing the property. His understanding of the agreement with the City was that as long as he continued with the subdivision he would not be required to hook up to City services until the subdivision project was started. Their existing septic system is working just fine.

2. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented.
Marion Esty seconded the motion.

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Hobart-Hardin, aye; Sandra Larson, aye; and Brittany Boothe, aye.

The consent agenda as approved included Minutes for September 12, 2011, Accounts Payable through September 20, 2011, Council Directive Status Report and Public Works Activity Report for August 2011.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

(1) Law Enforcement Update, Sgt. Osborne, LCSO

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty said the Fern Ridge Library board is getting more organized and will be having a small celebration at the library.

Thomas Cotter attended the Lane Area Commission on Transportation (LACT) meeting. He said Sonny Chickering at ODOT was promoted. He asked the Council to get any questions they may have about the Fern Ridge Corridor to him and he will take them to the next meeting.

Mayor Hobart-Hardin said the Harvest Festival was a great success. She really enjoyed it and the committee did a great job. She attended the LCOG board meeting last week and said that George Kloeppel, Executive Director at LCOG is retiring after 31 years. Senior and Disabled Services lost five staff people because of a reduction in their funding on top of seeing a 41% increase in seniors in need.

Sandra Larson attended the last School Board meeting when the two Science Teams were presented with t-shirts. The Willamette Leadership Academy has over enrolled and the school district will have to address that issue. Enrollment district wide is down. Mr. Bellingham at the

high school will be taking the Advanced Placement (AP) class on a fieldtrip to Salem. The Park Board booth at the Harvest Festival had a lot of young volunteers.

Brittany Boothe said she participated in the scavenger hunt organized by the Park Board. She said many people also participated and she saw a lot of families and teenagers enjoying the parks

4. STAFF REPORTS

- a. CITY RECORDER/HR & RM ADMINISTRATOR.....CHRIS WORKMAN
Prior to having a City Safety Manual the Public Works Department used multiple pamphlets from Oregon-OSHA for training purposes. The City Safety Manual will now take the place of these pamphlets. Citycounty Insurance Services provides a premium discount of 10% (up to \$1,000) to member cities that have a safety manual that is adopted by resolution by the City's governing body.

The Public Works staff holds a safety meeting once a month and it is required for all staff to attend. Additionally, Public Works employees attend regional trainings, blood born pathogens, asbestos, etc.

In response to a question from Thomas Cotter, Chris said Jared Rush, Public Safety Officer, holds the safety meetings at the Public Works yard and tracks the meetings administratively.

In response to a question from Mayor Hobart-Hardin, Chris said unfortunately the safety awards the City receives from Citycounty Insurance do not assist with reducing our premiums.

- (1) **Resolution No. 1066 – A RESOLUTION ADOPTING THE CITY OF VENETA SAFETY MANUAL**

MOTION: Thomas Cotter made a motion to approve Resolution 1066 as written adopting the City of Veneta Safety Manual. Marion Esty seconded the motion which was passed with a vote of 5-0.

- b. COMMUNITY SERVICES DIRECTOR.....BRIAN ISSA

- (1) **Resolution No. 1067 – A RESOLUTION PROVIDING FOR THE TEMPORARY REDUCTION OF TRANSPORTATION SYSTEM DEVELOPMENT CHARGES FOR NON-RESIDENTIAL DEVELOPMENT**

Resolution 1067 is in response to Council direction made at the September 26th meeting for staff to write a resolution temporarily reducing non residential transportation SDCs by 50%. Legal counsel reviewed the resolution which includes a sunset clause of June 30, 2012.

In response to a question from Brittany Boothe, Brian said all SDCs are paid when a building permit is picked up. SDCs cannot be paid months in advance because building permits will eventually expire if there's no construction activity.

MOTION: Thomas Cotter made a motion to approve Resolution 1067. Brittany Boothe seconded the motion which was passed with a vote of 5-0.

- (2) Update on E. Hunter Ave. Sewer Connections
Since the 2001 installation of a main sewer line in East Hunter Rd, nine properties along that stretch were required to connect pursuant to Veneta Municipal Code (VMC). This mandatory sewer hook up had two intentions; to connect properties to City sewer prior to road improvements to avoid future cuts in the new surfacing and to remove potential sources of groundwater contamination as required by state law. Currently three properties have

failed to connect after receiving multiple notifications over the last several years which more than satisfied the requirements of VMC 13.10.660. Those properties are as follows: 1) Rose Wymore requested an extension and a copy of her letter was included in the packet; 2) Paul Furnari had an approved subdivision plan which would have completed the connection as part of the public improvements. Although Mr. Furnari claims that they still intend to complete the development, the approval for that subdivision expired when Mr. Furnari failed to complete the conditions of approval for final plat; and 3) Charles Brown who picked up a building permit for the connection, has not submitted it for approval.

Based on previous discussion with the Council, staff understands that the City wishes to continue to pursue hooking up these properties. There appear to be at least two options based on the code.

Option 1: VMC 13.10.670 provides the City with the authority to fine the property owner. To begin this process, the City would need to cite the parties into Municipal Court and obtain a conviction. Upon conviction the City could assess fines of up to \$400 per day. Unpaid fines are sent to collection which is where this would likely end up.

Option 2: VMC 13.10.600 appears to give the City authority to enter onto private property to actually construct the connection. The costs of design, construction, legal, and other fees would then be placed as a lien against the property.

Staff is currently reviewing these options with legal counsel and staff is seeking direction from the Council regarding whether or not to grant or deny Ms. Wymore's request for an extension.

Ric said legal counsel confirms our code authorizes the City to enter onto property and is reviewing this option to determine the best protection possible for the City. There may be other less aggressive steps to take. Regardless of the water pipeline the City is still required to protect our existing water supply.

Mayor Hobart-Hardin understands these are tough economic times but these properties have had seven years to hook up to the sewer line. The City has a responsibility to the entire community.

In response to questions from Sandra Larson, Brian said a rough estimate for hooking Ms. Wymore's property to the sewer line is \$7,000 to \$9,000 plus more than \$4,000 in SDCs. Brian said several times the City extended payment plan options for the SDCs, but no one has shown any interest. The property owners would be required to hire a contractor to decommission the septic systems and provide the hook up to the main line at the street which would be inspected by the City. The City cannot assist property owners with contractor's construction costs.

In response to questions from Brittany Boothe, Ric said it wouldn't necessarily be more expense to have the City hook up a property verses a private contractor performing the work. Ric said the property owners have been given several notifications of the required hook up and six of the nine have already done so.

In response to a question from Brittany Boothe, Brian said Mr. Furnari started his development activity which would have connected his property and the neighboring property by using his connection. However he didn't move forward with the final plat and his permit expired. If he wants to continue with the development he will have to submit a new permit application.

In response to a question from Mayor Hobart-Hardin, Brian said the City granted Mr. Furnari an extension based on his intent to complete his development. However, his tentative plan for development expired and is no longer valid so is extension is no longer valid.

In response to a question from Marion Esty, Ric said staff has made several suggestions to these property owners, i.e., to go in together to hire one contractor to do several hook ups at one time to keep costs down. At one point other owners were going to hook up to Mr. Furnari's development. Several reminder letters went out last summer. Communication from the City has continued.

In response to a question from Sandra Larson, Ric said if the City decided to enter Ms. Wymore's property to complete her hook up we would place a lien on the property for the costs the City incurred. City code allows this but staff isn't sure what the legal process is or what legal counsel will recommend.

MOTION: Thomas Cotter made a motion to deny the request for extension and direct staff to complete a legal review of the options to be presented at the next appropriate Council meeting. Sandra Larson seconded the motion which was passed with a vote of 5-0.

c. PUBLIC WORKS SUPERINTENDENT.....KYLE SCHAUER

(1) Homeless Camps on Tax Lot 400

EPUD had to work on their main line running through Tax Lot 400. When they went in, they found numerous abandoned and possibly one or two active camps. Due to the amount of litter and debris, City Administrator, Ric Ingham directed the Public Works crew to clean up the property. To notify any persons still occupying the camps, signs were posted throughout the area stating that in accordance with Veneta Municipal Code 9.05.290 Offensive Littering, all materials and/or property will be removed from the property beginning at 8:00 a.m. on Tuesday, October 4, 2011. Leaflets were also distributed by hand to as many of the homeless population as possible to inform them of the future clean up and also to make them aware that after October 4, 2011, anyone found on City owned property will be subject to immediate arrest for trespass under ORS 164.205. To clean up the area, the City will utilize the Lane County Sheriff inmate crew and members of the City Public Works crew. The Sheriff's work crew was hired for two days at \$840 per day and a 30 yard dumpster at \$500 per day will be used. Total estimated cost for the clean up is \$3,780.

In response to a question from Mayor Hobart-Hardin, Ric said there are five or six homeless camps throughout the community. The City has a responsibility to clean up our own property. Funds paying for the clean up will come from the street fund.

In response to a question from Sandra Larson, Ric said there is a homeless camp located behind St. Catherine's, one on Jeans Rd., and one to the east of Territorial Rd. between Veneta and Elmira.

In response to a question from Thomas Cotter, Kyle said the Public Works crew will work on the clean up using the City's backhoe and the Lane County Sheriff's Work Crew will provide a crew of 10.

In response to a question from Brittany Boothe, Kyle said there's no way to know where the homeless may start a new camp. This camp was found because EPUD was working on the power line running through tax lot 400.

Ric said three fires set last fall on City property, likely by homeless individuals, were the results of disputes among those individuals.

In response to a question from Brittany Boothe, Ric said many local churches provide food, clothing, showers, etc. to our homeless community. City staff would like to see some of the churches get more involved by asking our homeless community to commit to a code of conduct.

d. CITY ADMINISTRATOR.....RIC INGHAM

(1) Community Development Block Grant (CDBG) Funds Disbursement Authorization for the Fern Ridge Service Center

Ric said this is the first of a series of actions needed from the City Council to move forward with disbursement of the CDBG funds. Council authorization is needed to designate authorized signors on the cash drawdown signature card and Mayor Hobart-Hardin is required to sign the grant contract. Ric and Shauna will be primary signors and Chris Workman will be the sole alternate signor. The City was also required to provide a resolution adopting an Excessive Force Policy. On August 13, 2007 that policy was adopted under Resolution No. 952.

MOTION: Thomas Cotter made a motion authorizing Shauna Hartz and Ric Ingham as the primary signors on the signature card with Chris Workman identified as the alternative signor and Mayor Hobart-Hardin to sign the CDBG grant contract as presented by the Infrastructure Finance Authority. Brittany Boothe seconded the motion which passed with a vote of 5-0.

(2) 2011-2012 Work plan

Staff reviewed each section of the Work Plan with the Council and asked if they had any questions.

Ric said the old business sign previously located on the corner of W. Broadway and Territorial Rd. is an ODOT permitted business sign. The City pays \$89 a year to renew the sign permit. Staff suggested the City should continue to pay the sign permit in order to possibly use it a different location.

In response to a question from Mayor Hobart-Hardin, Kyle said lighting, heating, and weatherization updates are needed at the Community Center.

Ric said staff would like to take advantage of some upcoming federal weatherizing incentives. Also beginning January 1, 2012 City employees will be converting to a High Deductible Health plan and some work stations at City Hall will be remodeled.

Ric said LCOG will be providing fiber optic service in the Veneta area next summer. Staff is concerned about the cost to access that service and wants to make sure we're not building something that is cost prohibited to our residents.

5. OTHER

(1) 50th Anniversary Celebration

Ric said at the September 12th meeting Sandra Larson and Brittany Boothe indicated they were interested in being on the committee along with staff members Chris Workman, Shauna Hartz and Kyle Schauer. The group will meet to lay out a process. Mayor Hobart-Hardin expressed

that Olivia Johnson, the Principal at Veneta Elementary, would also like to be on the committee. Chris will provide meeting times to get everyone together.

(2) Voting Delegates at the 2011 League of Oregon Cities Conference

Ric would like to talk with Sandra Larson and Brittany Boothe after tonight's meeting to discuss the upcoming conference.

(3) Business Development Loan Fund Policies & Procedures

Mayor Hobart-Hardin felt there's a bit of urgency in order for the Chamber to continue with the Wineries without Walls project. She said over-working the documents may not get us a better product; it just delays our commitment to the Chamber.

Ric said the Chamber will continue with their grand opening events and he agreed the longer we delay the more effect it will have on their success.

In response to a question from Sandra Larson, Ric said the Council is the authorizing body and if a contract needed modification it would basically be rolled over into a new contract.

In response to a question from Mayor Hobart-Hardin, Ric said definitions need to be clarified - "investment" would be changed to "business assistant grant". It's not an investment, it's a grant.

In response to a question from Brittany Boothe, Ric said the application will be updated to include check boxes for micro loan; loan; or business assistance grant. He doesn't feel the committee should make the distinction between loan and grant.

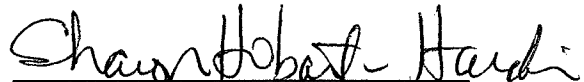
It was the consensus of the Council that the word "investment" should be changed to "grant" in all the business development documents. Ric will make these changes and provide updated documents to the Council at the next meeting.

6. EXECUTIVE SESSION - ORS 192.660(1) (e) - Real Estate Negotiations

Mayor Hobart-Hardin adjourned the Council into Executive Session at 8:35 p.m. Having made no decisions, the Council returned to regular session at 8:51 p.m.

7. ADJOURN

Mayor Hobart-Hardin adjourned the Veneta City Council at 8: 51 p.m.


Sharon Hobart-Hardin, Mayor

ATTEST:



Darci Henneman, Assistant City Recorder
(minutes prepared by Dhenneman)